

AGENDA
PERSONNEL BOARD MEETING

February 13, 2009
9:30 a.m.

1. Call to Order
2. Reading of the Minutes of Regular Meeting held January 9, 2009
Minutes Signed
3. Executive Director and Secretary's Report
4. Report of the Personnel Cabinet
 - A. Proposed change to 101 KAR 2:095
5. **Petitioned Position(s) – None**
6. **Oral Arguments**
 - A. Vicky Wilson v. Cabinet for Health and Family Services (Request by Appellee)
7. **Motions**
8. **Investigations**
 - A. Energy and Environment Cabinet, Division of Mine Reclamation, Pikeville
(Request by concerned employees)
--Response from Energy and Environment Cabinet (Gordon Slone)
9. **Closed Session**
10. **Cases to be Decided**
 - A. Vicky Wilson v. Cabinet for Health and Family Services (Dismissal, e-mail use –
appeal sustained to the extent of changing to a 3-day suspension)
--Appellee's Exceptions and Request for Oral Argument
--Appellant's Response to Exceptions
 - B. Lowell Grubb v. Justice and Public Safety Cabinet (Two-day suspension – appeal
sustained to the extent) **Deferred from January meeting**
--Appellee's Exceptions (Returned as untimely)

- C. Lynn McAleer v. Energy and Environment Cabinet (5-day suspension – appeal dismissed)
--Appellant's Exceptions
- D. Diana Schabaker v. Transportation Cabinet (Directed Sick Leave – appeal dismissed)
--Appellant's Exceptions
--Appellee's Response to Appellant's Exceptions
- E. Elizabeth Adkins v. Administrative Office of the Courts (Dismissal – dismissed for lack of jurisdiction)
- F. William Buntain v. Tourism, Arts and Heritage Cabinet (Falsification of application – appeal dismissed)
- G. Eugenia Jump v. Public Protection Cabinet (Sick leave sharing – appeal dismissed)
- H. Susan Nightengale v. Energy and Environment Cabinet (5-day suspension – appeal dismissed)
- I. Melissa Powell v. Education and Workforce Development Cabinet and Personnel Cabinet (Probationary dismissal – appeal dismissed, no jurisdiction)
- J. Rita Ruggles v. Cabinet for Health and Family Services (Sick leave sharing – appeal dismissed)

Show Cause Orders – Response Filed

- *** K. Douglas Downs v. Department of Veterans' Affairs
- *** --Response by Appellant
- *** --Response by Appellee to Appellant

Show Cause Orders – No Response Filed – Appeals Dismissed

- *** L. Martha May v. Justice and Public Safety Cabinet

11. **Withdrawals**

- A. Janet Belew v. Bullitt County Health Department
- B. Patsy E. Chesnut v. Transportation Cabinet
- C. Kimberly Hunt v. Tourism, Arts and Heritage Cabinet
- D. Stephanie Tindall v. Motor Vehicle Commission and Suzanne Baskett
- E. Mary B. Wade v. Transportation Cabinet
- F. Margie Williamson v. Cabinet for Health and Family Services
- G. Aaron L. Wilson v. Energy and Environment Cabinet
- *** H. Alphaeus Witherspoon v. Transportation Cabinet

12. **Settlements**

- A. John Wardia v. Justice and Public Safety Cabinet
- *** B. Patricia Johnston v. Environment and Environment Cabinet
- *** C. Angel Navarro v. Justice and Public Safety Cabinet (mediated)
- *** D. Nikki Townsend v. Cabinet for Health and Family Service (2 appeals - mediated)

13. **Other**